

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
EASTERN SECTION

C.A. No. 04-10052MLW

ALMO MUSIC CORPORATION ET AL.,
Plaintiffs,

v.

MEAGAN CORPORATION,
Defendant.

**DECLARATION OF STEPHEN S.
YOUNG, ESQUIRE, IN SUPPORT
OF PLAINTIFFS' MOTION FOR AN
ASSESSMENT OF DAMAGES AS TO
ATTORNEYS' FEES**

Stephen S. Young, hereby says:

1. I am attorney for plaintiffs in the above-entitled matter and am familiar with the facts and proceedings in this matter. This declaration is made in support of Plaintiffs' Motion for an Assessment of Damages as that motion applies to the awarding of attorneys' fees.

2. The following services were or are reasonably anticipated to be rendered in this matter:

- (a) Ascertainment of corporate status of corporate defendant and identity of officers for the purpose of service of process;
- (b) Drafting of complaint;
- (c) Application to clerk for default;
- (d) Drafting and filing Motion to Strike Answer;
- (e) Drafting and filing second Request for Default;
- (f) Drafting and filing of Motion for Assessment of Damages and supporting Declarations;
- (g) Drafting and filing of Motion for Default Judgment; and
- (h) Miscellaneous correspondence.


3. It is respectfully suggested that reasonable fees for the above services would be \$2,500.00 and it is requested that plaintiffs be awarded a fee in that amount. Attached hereto is a copy of contemporaneous time records which detail the services rendered to date, the dates those services were rendered, the time spent performing those services, and the applicable billing rates and initials of the person(s) who performed those services.

4. One individual in this office worked on this case, Stephen S. Young (initials on time records are "SSY").

5. Stephen Young passed the bar in 1968. He became an associate at Sherburne, Powers & Needham (presently known as Holland & Knight LLP) in 1970, specializing in civil litigation. He has been a partner or shareholder since 1976. Since initially coming to the firm he has represented the American Society of Composers, Authors & Publishers ("ASCAP") and its members in connection with copyright infringement litigation throughout Massachusetts. He has been admitted to practice in the United States District Court for the District of Massachusetts, the Court of Appeals for the First Circuit, and the United States Supreme Court.

6. Major cash disbursements are not set forth in this declaration since they will be recovered by way of a bill of costs.

I certify under penalty of perjury that the foregoing is true and correct.


Stephen S. Young

September 14, 2004

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AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS

Meagan Corporation d/b/a Halftime Grill

Lawyer	Date	Hours	Description
SSY	12/19/03	.50	Review general licensing file and send presuit demand letter; open new file.
SSY	1/7/04	.20	Review file; send complaint to court for filing; letter to Attorney Reimer.
SSY	1/28/04	.30	Review file; file summons with return of service in court; status letter to Attorney Reimer.
SSY	2/17/04	.40	Review status; send request for default; prepare request for default.
SSY	2/19/04	.40	Review file and begin work on default judgment papers.
SSY	2/19/04	1.40	Brief legal research and draft motion to strike answer; telephone call to Mr. Savino.
SSY	2/24/04	.20	Redraft and file motion to strike answer.
SSY	2/25/04	.20	Send letter to defendant and to Attorney Reimer regarding failure to file answer in court.
SSY	3/2/04	.30	Review file; send follow-up letter to Meagan Corporation regarding motion to strike.
SSY	3/12/04	.20	Review magistrate judge notice; research regarding copyright background.
SSY	4/5/04	.20	Review information regarding status of motion; telephone conference with clerk and send Richard Reimer status report.
SSY	4/7/04	.50	Review scheduling notice; calls to clerk; letter to Attorney Reimer regarding status.
SSY	4/27/04	.20	Review regarding status of motion; call clerk regarding status.
SSY	4/29/04	.20	Telephone conference with courtroom clerk regarding outstanding motion and scheduling conference.
SSY	5/4/04	.30	Review notices of court's actions and notify Attorney Reimer of the court's actions.
SSY	6/3/04	.60	Review file; draft request for default and letters to Attorney Reimer and pro se defendant.
SSY	7/14/04	.20	Send follow-up letter to court regarding default request.
SSY	8/24/04	1.20	Drafting of motion for default judgment and supporting declarations.

TOTAL TIME SPENT AND APPLICABLE RATES TO LAST DATE SHOWN:

SSY 7.50 hrs. at \$320 per hour

TOTAL BILL TO LAST DATE SHOWN: \$2,400

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